

# Cultural Considerations and Practices Related to Water

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## Introductory paragraph - RMS Objectives

### Objectives:

- Increase understanding of significance of cultural considerations, perspectives, places, and practices related to water
- Educate about diversity, and provide examples of cultural considerations, perspectives, places and practices throughout California.
- Describe current statutory and policy frameworks in place to protect cultural considerations, perspectives, practices and resources related to water.
- Provide California Native American Tribes' perspectives and information about their relationship to water.
- Provide guidance and means to identify, consider and address cultural resources issues and concerns.
- Provide guidance and means to identify, consider and address California Native American Tribes' issues and concerns.
- Identify potential management practices that are most likely to benefit or affect cultural resource concerns.

## Overview 1 : Cultural Considerations, Perspectives, Places and Practices Related to Water in California [placeholder heading]

### Scope of the Discussion

- What are water-related cultural considerations and perspectives?? (lifeways, community identity, beliefs and values, subsistence activities, quality of life)
- Who is affected?
- When and where do cultural resources/considerations occur?
- When and where should cultural resources/considerations occur?

How this will be presented. -- General cultural resource management description, then move to brief, broader descriptions, examples below.

#### Potential descriptions and examples:

- Subsistence activities: fishing, root/reed collection,
- Working landscapes: ranching, farming
- Community events: Fleet Week, salmon festivals
- Culturally/historically significant places, objects and systems: historic flume structures, village sites, mining remnants,
- Perspectives on the nature/essence of water and how those perspectives affect water management.

### Considerations

- Descriptions/topics
- Examples

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## Perspectives

- Descriptions/topics
- Examples

## Places

- Descriptions/topics
  - Cultural landscapes
  - Traditional Cultural Properties
- Examples

## Practices

- Descriptions/topics
  - Use
  - Access
- Examples

## Cultural and historical Resources

- Descriptions/topics
  - Historical resources
  - Archaeological sites
- Examples

**Statutory Frameworks and Policies**—What laws currently require consideration of these concerns. What is currently available to protect.

### State

- State Historic Preservation Office ( California and National Registers of historic sites; Section 106 Review, CEQA review)
- AB 716 (Prop 40 grant program to preserve historic site that tell the diverse stories of California's people, broader than missions and gold rush history)

### Federal

## Overview 2 - California Native American Tribes and Water in California

Importance of California Native American Tribes' relationships to water

- Mainstay of tribes pre-contact, currently and into the future [sustainability]
- Traditional Knowledge - Every tribe/tribal community teaches and practices their knowledge on their lands to continue their cultural livelihood/lifeways and stewardship of waters and ecosystems for future generations.

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- Not all tribes able to practice because of land constraints, but they keep their cultural knowledge to teach and practice.
- Expand dialogue:
  - “use”
    - What does water “use” mean from Native perspectives?
  - “access”
    - What does water “use” mean from Native perspectives?
- Importance of traditional practices/traditional ecological knowledge
- Importance of California Native American Tribes to protect water, their relationships with water, and water places

## Considerations

- Descriptions
- Examples

## Perspectives

- Descriptions
- Examples

## Cultural Places and Landscapes

- Descriptions
- Examples

## Cultural Practices

- Descriptions
  - Ceremonies
  - Traditional resource management practices: burning, stewardship activities,
  - Subsistence activities: fishing, root/reed collection,
  - Tribal environmental knowledge
- Examples

## Potential Benefits [combine non-tribal and tribal in one section?]

## Potential Costs [combine non-tribal and tribal in one section?]

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## Major Issues [combine non-tribal and tribal in one section?]

- Inadequate protection/enforcement of current laws and regulations
- Conflicts/tradeoffs between uses/users

## Cultural Considerations and Practices Related to Water and Climate Change

- Extreme weather events
- Disaster Preparedness
- Sea Level Rise
- Increased recreational use due to increasing ambient temperatures will occur
- Reoperation facilities constructed to address extreme weather events will damage cultural sites, decrease access to sites and impact ability to conduct cultural and ceremonial practices

## Management Strategies most likely to benefit or affect cultural considerations and practices

### Protect – Increase enforcement resources

- Federal and State Responsibilities
  - Existing laws and regulatory frameworks
  - Processes
  - Coordinating roles

### Plan – Early involvement

- Consultation and engagement processes depending on a number of factors:
  - Context
  - Issues
  - Level of federal/state/local involvement

### Partnerships

- Gain mutual understanding
- Educate
- Sustain
- Restore

## References:

Burton, Lloyd. *Worship and Wilderness: Culture, Religion, and Law in Public Lands Management*. Madison: University of Wisconsin Press, 2002.

Grossman, Zoltan, and Alan Parker. *Asserting Native Resilience: Pacific Rim Indigenous Nations Face the Climate Change*. \_\_\_\_: Oregon State University Press, 2012.

Hardesty, Donald L. and Barbara J. Little. *Assessing Site Significance: A Guide for Archaeologists and Historians*. Walnut Creek: AltaMira Press, 2000.

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Menzies, Charles R. (ed) Traditional Ecological Knowledge and Natural Resource Management. Lincoln: University of Nebraska Press, 2006.

Richman, Jennifer R. and Marion P. Forsyth. Legal Perspectives on Cultural Resources. Walnut Creek: AltaMira Press, 2004.

Stapp, Darby C. and Michael S. Burney. Tribal Cultural Resource Management: The Full Circle to Stewardship. Walnut Creek: AltaMira Press, 2002.

Swidler, Nina, Kurt E. Dongoske, Robert Anyon and Alan S. Downer (eds). Native Americans and Archaeologists: Stepping Stones to Common Ground. Walnut Creek: AltaMira Press, 1997.

Watkins, Joe. Indigenous Archaeology: American Indian Values and Scientific Practice. Walnut Creek: AltaMira Press, 2000.

### **Legal:**

#### **Federal:**

Presidential Memorandum November 9, 2009

<http://www.gpo.gov/fdsys/pkg/FR-2009-11-09/html/E9-27142.htm>

Executive Order 13175

<http://ceq.hss.doe.gov/nepa/regs/eos/eo13175.html>

National Historic Preservation Act of 1966

- Section 106  
<http://www.achp.gov/106summary.html>  
<http://www.achp.gov/work106.html>

Native American Graves Protection and Repatriation Act (NAGPRA)

Archaeological Resources Protection Act

#### **California:**

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California Environmental Quality Act (CEQA)

[http://ohp.parks.ca.gov/?page\\_id=21721](http://ohp.parks.ca.gov/?page_id=21721)

Governor's Executive Order

Natural Resources Agency Tribal Policy

California and NHPA Section 106 Compliance

[http://ohp.parks.ca.gov/?page\\_id=1071](http://ohp.parks.ca.gov/?page_id=1071)

California Office of Historic Preservation

[http://ohp.parks.ca.gov/?page\\_id=26059](http://ohp.parks.ca.gov/?page_id=26059)

California Native American Heritage Commission

<http://www.nahc.ca.gov/understandingcr.html>

<http://www.nahc.ca.gov/slc.html>

**Local [any local CR ordinance examples?]**

**Tribal Laws and Ordinances:**

[Tribal laws, ordinances, THPOs here]

California Tribal Historic Preservation Officers

[http://ohp.parks.ca.gov/?page\\_id=24683](http://ohp.parks.ca.gov/?page_id=24683)

National Association of Tribal Historic Preservation Officers

[http://www.nathpo.org/PDF/Tribal\\_Consultation.pdf](http://www.nathpo.org/PDF/Tribal_Consultation.pdf)